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**Montana Board of Crime Control
Jail Crowding Assessment**

**Lead Consultant: Madeline M. Carter
Consultant: Gary B. Kempker**

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Executive Summary

In November 2005, the Montana Board of Crime Control hosted a detention dilemma planning meeting in order to begin development of a strategic response to statewide jail crowding. A set of issues and problems were identified as well as proposed action steps. One of these steps was to seek external assistance in designing a comprehensive local system assessment that would inform the Board of Crime Control regarding the dimensions of the local jail population capacity issues.

Madeline Carter and Gary Kempker were identified as the technical assistance consultants to this project. Prior to arrival on-site (in May and June, 2006), the team conducted telephone interviews with several individuals with knowledge of the jail crowding issue. On June 5-7, 2006, the consultant team traveled to Montana and met with staff of the Montana Board of Crime Control; the Director of Corrections; U.S. Marshall Dwight MacKay; and toured and received briefings on four local jail facilities. The goals of these meetings and visits were to assess the factors contributing to the perceived jail crowding problem, and develop recommendations for action the state might take to alleviate the pressure on the local jails and potentially stem the tide of offender population growth.

The following three key findings were made:

- Data is needed to better inform an analysis of the crowding problem
- Multiple conditions are contributing to the crowding problem
 - Lack of an adequate public defender system
 - Lack of focused use of pre-trial release (and perhaps supervision and services)
 - Lack of reliance on risk/needs assessment instruments to guide sanctioning and programming
 - Lack of pre-sentence investigations for misdemeanants
 - Lack of sanctions between probation, jail and prison; and lack of community based interventions to address substance abuse and mental health concerns
 - Lack of a comprehensive plan for statewide reentry planning and services
- A more strategic, cross-system collaborative approach to problem analysis is needed

The following recommendations are offered:

- Create a statewide offender management committee
- Collect and analyze offender profile data
- Conduct a resource analysis
- Develop a system flow chart
- Policy and practice analysis

- Conduct cross-system training
- Conduct a gaps analysis and identify key targets for change
- Pilot test change strategies
- Develop a comprehensive strategic plan
- Build long term data and information system capacity

Background:

In November 2005, the Montana Board of Crime Control hosted a detention dilemma planning meeting in order to begin development of a strategic response to statewide jail crowding. A set of issues and problems were identified as well as proposed action steps. One of these steps was to seek external assistance in designing a comprehensive local system assessment that would inform the Board of Crime Control regarding the dimensions of the local jail population capacity issues, and the problems faced by the 51 counties (that house 46 local jails) and their largely rural communities regarding the delivery of effective and efficient local correctional services.

Prior to arriving on-site, the consultant team (Madeline Carter and Gary Kempker) consulted with Roland Mena, Executive Director of the Montana Board of Crime Control (BCC) as well as staff members Lily Yamamoto and Allen Horsfall. Significant information was provided to the consultant team over the phone and in writing by the BCC, including: an overview of the perceived problems; steps taken thus far; key stakeholders and their interests in and concerns about these issues; meeting records from previous BCC and Detention Dilemma Committee meetings; relevant news articles; Montana Department of Corrections population reports; information on the various county jails; and other pertinent background materials.

The Montana Board of Crime Control staff coordinated the on-site portion of this effort. The consultant team was scheduled to arrive on June 4, 2006 and depart on June 7, 2006. Meetings were scheduled with the Detention Dilemma Committee and other key individuals involved with this issue. In addition, tours and briefings of representative jail facilities were scheduled.

Pre-Site Visit Telephone Interviews:

Prior to arrival on-site, the team conducted telephone interviews with several individuals with knowledge of the jail crowding issue. A list of individuals with whom the consultants would conduct these interviews was provided by the Board of Crime Control. Those interviewed included United States Marshal Dwight MacKay, Cascade County Undersheriff Blue Corneliusen, Yellowstone Detention Facility Captain Dennis McCave, and local prosecutor Leslie Halligan.

United States Marshal Dwight MacKay:

Marshall MacKay provided valuable background information as well as information on the current status of jails operating within Montana. He expressed concern about the current overcrowding and its effect on his ability to locally house federal prisoners.

He related that there are roughly 150 to 250 state Department of Corrections (DOC) prisoners incarcerated in county jails at any given time. He expressed his belief that this is due, in part, to overcrowding in the state correctional facilities and that prisoners are “backing up” in county jails. According to Marshal MacKay, he is being forced to move federal inmates out of state because the three primary jurisdictions used to house federal offenders are over capacity.

Marshal MacKay attributed the need for additional space for federal inmate housing to the increase in methamphetamine abuse, the Safe Streets Act, and the increase in federal indictments. He reported an annual increase of offenders of 5 to 6% with no additional prison construction underway. He also stated that federalizing sex crimes against children may have a significant future impact on space requirements for federal offenders. It was reported that a significant part of the county jail population is for misdemeanor arrests. He also indicated that there is currently a split in support for the rehabilitation/treatment oriented approaches to crime control versus the incarceration oriented approach, perhaps resulting increased rates of incapacitation of offenders.

Concern was also expressed by Marshal MacKay regarding the Montana’s Native American population. He indicated that the tribes are under-resourced, witnessing increasing crime and substance abuse rates, and that Native Americans are overrepresented in the local jails.

According to Marshal MacKay, there have been past efforts to collect data on Montana’s jailed population but these efforts have met with less than success, and that the information that has been collected thus far has not been useful in more carefully analyzing problems and guiding decision-making. He expressed support for a more formalized justice planning approach in Montana to address issues of concern.

Undersheriff Blue Corneliusen (Cascade County):

Undersheriff Corneliusen expressed some concern over the reduction in number of members serving on the Board of Crime Control. He stated that the reduction reduced the amount of criminal justice experience on the Board.

He provided an overview of the Cascade County jail operation and prisoner classification system. He attributed some of the state prisoner’s presence in county jails to overcrowding of the state correctional institutions.

Undersheriff Corneliusen reported on the current efforts to address jail standards as developed by the American Corrections Association (ACA). He stated that it was his opinion that movement towards bringing the county jails into compliance with ACA standards would represent a substantial improvement in Montana’s jail system.

Captain Dennis McCave (Yellowstone Detention Facility):

Captain McCave provided the following information on the Yellowstone Detention Facility:

- The facility design capacity is 286.
- The facility is currently holding 420 offenders.
- 70-80% of the incarcerated offenders are pre-trial detainees.
- 80% of the incarcerated population is held on felony charges.
- There is no significant back-up of state offenders.

Captain McCave assessed the current climate for addressing jail issues to be very positive. He reported that there has been a void of leadership in the past in addressing these issues on a statewide basis but that if leadership of the effort could be formalized and sustained, positive work could be done.

He also mentioned the current efforts to comply with ACA Jail Standards as a positive step in addressing Montana's jail issues.

Prosecutor Leslie Halligan:

Ms. Halligan was interviewed regarding her perceptions regarding the presence of a jail overcrowding problem in the state and her understanding of its causes. She was helpful in pointing out that the jail bed shortage may be a reflection of a variety of external forces, including the lack of: alternatives to confinement across the state (a problem that is more predominant in some counties than others, but is essentially a universal concern); substance abuse and mental health services in the counties (these services might serve to effectively address a good portion of the underlying crime problems and therefore stem the incarcerated population growth); prosecutorial or sentencing guidelines (that would more clearly delineate those instances where incarceration is and is not appropriate); and a lack of uniform, accessible defense services (potentially resulting in case processing delays and other conditions resulting in higher incarceration rates; the state is moving to a new statewide, centralized public defender system effective July 1, 2006, which may begin to address this concern).

Site Visit, June 5-7, 2006:

Overview of Visit and Site Visit Goals

Over the course of three days, the consultant team met with staff of the Montana Board of Crime Control; the Director of Corrections; U.S. Marshall Dwight MacKay; and toured and received briefings on four local jail facilities (representing small, medium, large and regional facilities). The goals of these meetings and visits were to assess the factors contributing to the perceived jail

crowding problem, and develop recommendations for action the state might take to alleviate the pressure on the local jails and potentially stem the tide of growth.

Meeting: Staff of the Montana Board of Crime Control

The site visit began with a meeting between the consultants and staff from the Board of Crime Control in Helena, Montana. Goals for the three day visit, as well as a review of the site visit itinerary, were discussed. BCC staff briefed the consultants on recent changes that had occurred since the last telephone conference call (including the recent resignation of the Director of Corrections, and the appointment of a new Director). Other background information pertinent to Montana's criminal justice system was provided.

Meeting: Members of the Montana Detention Dilemma Committee

Following this, the consultants attended a meeting with the Detention Dilemma Committee. During that meeting, a "brainstorming" session was conducted to surface each members' understanding of the jail overcrowding problem, its causes, and potential solutions. Those in attendance provided the following information regarding their assessment of the current problem:

- Lack of resources
- Jail classification systems are "terrible"
- Mental health –people are being housed in jails who need to be elsewhere
- Lack of uniform mental health assessment
- Lack of public understanding/acceptance of alternatives to incarceration
- Creation of non-strategic strategies
- Lack of data – need to better understand the underlying causes of the overcrowding
- Lack of alternatives to jail and prison
- Need to enhance professionals' understanding of the problem
- Drugs – especially methamphetamine – need secure treatment not incarceration; need non-residential treatment services
- Lack of coordinated case management
- Lack of a systemic approach to offender management
- Lack of DOC bed space – DOC inmates are backed up in county facilities (N=200)
- Rise in Native American incarcerated population (but more data is needed on this)
- Slow processing of cases
- Need tribal governments at these tables

The Committee also offered the following potential solutions:

- Locals need to develop their own plans
- Locals need to look carefully at staffing

- Greater awareness of impact of incarcerative sanctions
- Identify and correct contradictory laws and policies
- Provide pre-trial supervision
- Community education to enhance acceptance of pre-release services and alternatives to incarceration
- Cap the jail populations
- Uniformly offer misdemeanor probation
- Target interventions to juvenile population as a method to prevent inflow of mental health cases into the adult system
- Enroll offenders in needed mental health services to prevent failure
- Determine how best to prevent crime rather than always focusing on problem behavior after the fact
- Provide services that are effective in reducing recidivism

Following this discussion, the consultants outlined a potential approach to understanding more clearly -- and then addressing -- the overcrowding problem. This approach included a system assessment (including gathering information on the offender population and the available resources to service them; developing a system map to better understand how cases are processed; analyzing key policies and practices that impact incarceration rates; conducting a gaps analysis to identify key need areas; then identifying those key change strategies most likely to produce the desired results). Members indicated that such an approach would be a helpful strategy in both understanding the factors contributing to the current problem, and identifying critical solutions.

Interview: Montana Department of Corrections Director Mike Ferriter:

Just prior to the consultant's site visit, Mike Ferriter was appointed as the new Director of the Montana Department of Corrections (DOC) by the Montana Governor. He provided an overview of the DOC's sanctioning options for offenders entering their system. The options that he discussed included:

- Pre-Release
- Boot Camp
- Intensive Supervision
- Prison Incarceration
- Methamphetamine Program

According to the Director, pre-sentence investigations are completed in almost 100% of felony cases. No assessment tools are used in the preparation of pre-sentence reports however, and most misdemeanor cases do not receive pre-sentence investigations.

The DOC operates Assessment/Sanction Centers. These centers are intended to ready offenders for treatment options in the community. He reported that approximately 75% of offenders are sent to the community for treatment. He

expressed some concern about the potential that judges might be sending offenders to the DOC so that they could determine which option best met the needs of offenders. He stated that this could have a net widening impact on the incarcerated population.

Mr. Ferriter indicated that a significant factor in the growth of the prison population is due to technical violations. He estimated that 40% of the prison admissions are for technical violations. Additionally, sex offenders account for a large proportion of the DOC's confined population.

Supervision in the community is provided under the "Wisconsin" case management model. Probation and parole, both of which come under the authority of the DOC, uses six levels of supervision. A risk/needs assessment is conducted for offenders placed on supervision, and is repeated after six months under supervision. Supervision caseloads range from 25 to 90 and are mixed with both probation and parole cases and various supervision levels.

Mr. Ferriter provided the following information about the DOC incarcerated population:

- 17% are Native American
- 33-34% of the female population is Native American
- Substance abuse is the leading cause of female incarceration

Tour and Briefing: Cascade County Jail:

Team members toured the Cascade County Jail and met with Undersheriff Blue Corneliusen. He indicated that the facility was built in partnership with the federal government, the state DOC, and county funding. The facility currently houses 156 DOC offenders. The design capacity of the facility is 356 and they currently house 440 offenders by double-bunking some cells. He reported that approximately 40% of those held in the jail suffer from some type of mental health concern. He reported that the connection between the jail and mental health services is very poor.

The majority of non-DOC offenders held in the jail are pre-trial detainees. In addition, Undersheriff Corneliusen reports that the jurisdiction incarcerates a significant number of non-violent misdemeanants. However, specific data on the confined population (such as: the number of pre-trial detainees, their offense types, and the length of their pre-trial confinement; as well as similar information for other incarcerated offender populations) must be compiled manually and information for decision making is severely lacking. He related that he believed that the availability of this kind of information could greatly enhance the Sheriff's Office's ability to make decisions about jail operations.

Undersheriff Corneliusen reported that there is no programming available in the jail. He also indicated that he believed that assessment tools could help them identify potential alternatives to incarceration of offenders. Other than some private pre-release services available under a contract with the state DOC, few alternatives to confinement exist.

Undersheriff Corneliusen indicated that an Adult Treatment Court was initiated about one year ago. Participants are identified by the County Attorney and the public defender; offenders participate in this program on a diversionary basis. Supervision is provided by the DOC's division of probation and parole as well as county and city police officers. He stressed the need for aftercare programming for participants for at least six to nine months. Services are provided under contract with the state DOC at a cost of \$150 per day.

Tour and Briefing: Chester County Jail

The team met with the Chester County Sheriff and conducted a tour of the county jail facility. There were no prisoners being held in the facility at the time of our visit. The maximum capacity of the jail is eight. The facility consists of a military surplus "brig." The Sheriff indicated that it is used primarily as a short term detention facility with offenders with longer incarceration requirements being transported to other county facilities (such as Lewistown).

Chester County is a small, tightly knit, very rural community. The Sheriff indicated that, to the best of his recollection, the last offender sentenced to the DOC from Chester County occurred three years ago (for theft). The county has a low crime rate and a very low violent crime rate. Most criminal activity involves substances (apprehending offenders transporting drugs through the county, occasionally a meth. lab arrest, or drug and alcohol use). The county has limited services for assessment of risk and needs, or substance abuse and mental health services.

Tour and Briefing: Fergus County Jail

The team met with Fergus County Sheriff Thomas L. Killham at the Fergus County Jail in Lewistown, Montana. The Sheriff reported the jail capacity as 38 but stated that he has capped the population at 30. The average daily population is about 15. If demand for jail space increases, the Sheriff's practice is to meet with the county judge to consider those who might be released to accommodate the increase.

The Fergus County jail houses prisoners for three counties. They have no contracts in place for the housing of state or federal offenders and will not accept offenders from other counties if they are at their cap. Sheriff Killham reported that they do occasionally hold prisoners for the U.S. Marshal's Office.

The population consists of both pre-trial and sentenced offenders. He reported that it is typical for misdemeanants to serve between 30 and 90 days in the facility. According to Sheriff Killham, they periodically receive offenders with mental health concerns and must transport these individuals to a state mental health facility four hours away.

A drug court has recently been established in the county largely due to the county's proximity in a tri-county area. The drug court is in its infancy and its impact on the offender and jail population is as yet unknown.

Interview: United States Marshall Dwight MacKay

Marshall MacKay played a key role in the design and construction (and gaining community acceptance for) of the Yellowstone County Detention Facility. He was able to provide helpful background information on the factors that led to the construction of this contemporary facility, and the conditions in the community that continue to strain the local corrections system (including the lack of pre-trial services, alternatives to confinement, and substance abuse and mental health services). Marshall MacKay joined the consultant team on a tour of the Yellowstone County Detention Facility.

Tour and Briefing: Yellowstone County Detention Facility

A tour was conducted of the Yellowstone County Detention Facility and the team met with Captain Dennis McCave, the jail administrator, and other key facility staff. Captain McCave provided the following information on the jail population:

- 70% to 75% of the offender population is being held on a pre-trial basis.
- Pre-trial detainees are held in the jail typically for a period of 6 months and 2 years.
- The population is mixed with misdemeanants and felons with about 30% of the population representing misdemeanants.
- The majority of misdemeanants are held are for city charges.
- The average daily population of the facility ranges from 420 to 440.

Captain McCave reported that they use pre-trial supervision as an alternative to incarceration. This service is provided by a local not-for-profit agency. He stated that their population has been gradually increasing over the last few years. He related that bookings have not increased but the average length of incarceration has increased.

Captain McCave cited the lack of infrastructure for mental health treatment, pre-release programming, and coordinated efforts between agencies to assess the needs of offenders, coordinate sanctions, and provide needed services as significant shortcomings in the local corrections system.

Captain McCave briefed the consulting team on the statewide police officer's and sheriff's association, and their interest in the jail crowding problem. Methods to more actively engage them in the discussion were also discussed.

Debriefing with Roland Mena, Director of the Board of Crime Control

Prior to concluding the site visit, the consultants debriefed the site visit with Director Mena (who, along with other key staff, attended the site visit in its entirety) and discussed our conclusions and recommendations. The contents of (and timing) of this report reflect the conclusions of our discussion in terms of: the information that would be provided in the report; that the report would be provided to Director Mena in draft before it is finalized; that it would be provided in advance of the BCC's next Advisory Board meeting (June 22, 2006); and the content and scope of the recommendations that would be outlined.

Other Pertinent Information:

During the course of our discussions with Captain McCave, we learned that the Montana's Sheriffs and Peace Officers Association had recently been informed by the National Institute of Corrections (NIC) Jails Division that training would be provided over the coming ten to twelve months through NIC's Small Jail Initiative. We followed up with NIC and learned that the initiative would provide the Montana jailers with training on the following topics:

- Jail as Part of County Government
- Administering the Small Jail
- Jail Resource Management (budgeting)

Additionally, we learned that in May 2006, NIC's Jails Division provided a facilitator for a two day retreat to review the Montana Jail Standards and plan how to implement them.¹

Findings and Recommendations:

The following represents our findings and recommendations based upon our knowledge of state and local corrections and criminal justice operations in general, and the circumstances that currently exist in Montana. These findings and recommendations are offered with the following caveats:

- Montana is a large, rural state that operates a state correctional system and 46 local jails in 51 counties. The consultants were only able to interview a limited number of officials over the telephone in advance of our arrival and through the course of our three day site visit. To the extent possible, we

¹ Kathy McGowan, Co-Executive Director on the Montana Sheriffs and Peace Officers Association is the contact person for this initiative. She can be reached at 406-443-5669. NIC's contact is Richard Gaither, in NIC's Longmont, Colorado office.

assessed the views of as many stakeholders as we were able, and inquired about the generalizability of their comments. Given these limitations, it is possible we have yet to gain a complete grasp on the jail crowding problem.

- Our charge was to focus on crowding at the local level. For this reason, we had limited exposure to the state system and the interrelatedness of state and local corrections. Our assumption is that there is a strong connection between these, and implicit in our recommendations that follow is the need to better understand the relationship between jail and prison crowding through a careful analysis process. Therefore, as we discuss our recommendations below, we do not focus on local or state confinement, or local or state services. We assume that Montana will be best served by the conduct of the activities described at both the state and local levels.
- As is noted below under Finding #1, very little data is available at this time to inform a careful analysis of the local corrections systems. Our findings are based almost entirely on the information provided by Montana officials through verbal interviews. Much of the data provided was therefore anecdotal and, for this reason, has its limitations.

Finding #1: Data is Needed to Better Inform an Analysis of the Crowding Problem.

Presently, very little data is available to inform an analysis of the crowding situation. Most of the jails we visited do not have automated data systems. Those that do have little ability to aggregate offender data in a manner that will inform policy analysis. Comprehensive jail data, aggregated on a statewide basis, is also unavailable, although the BCC is moving in the direction of establishing data systems that will provide for this kind of data collection and analysis.

Finding #2: Multiple Conditions are Contributing to the Crowding Problem.

By all accounts it appears that many of Montana's jails are, indeed, facing crowding problems. (This may be true at the state level as well, however this was not the focus of our visit.) It appears that there are a variety of conditions contributing to overcrowding including (but perhaps not limited to) those listed below. To date, it appears that no systemic analyses of these conditions have been conducted to better understand their influence on the incarcerated population or their potential for alleviating the strain on the local (and perhaps, state) correctional facilities. The conditions that appear to be impacting incarceration rates include:

- *Lack of an adequate public defender system.* Officials report lengthy delays in processing cases. This may result in high rates of use of jail bed days.
- *Lack of focused use of pre-trial release (and perhaps supervision and services).* Most of the jails visited appear to have very high rates of pre-trial detainees. Few appear to have options for release for these offenders. This appears to be creating a tremendous drain on available jail beds.
- *Lack of reliance on risk/needs assessment instruments to guide sanctioning and programming.* State of the art assessment tools are now available to

guide decision makers in determining the level of risk posed by offenders and their criminogenic needs (those factors that if, addressed appropriately, can be influenced to reduce the likelihood of recidivism). Risk/needs assessments can guide officials in determining both the most appropriate sanctioning options for individual offenders (avoiding incarceration where risk levels are low) and in designing intervention strategies most likely to reduce recidivism.

- *Lack of pre-sentence investigations for misdemeanants.* Pre-sentence investigations also provide valuable information to the court and others on appropriate sanctioning and intervention strategies. The conduct of pre-sentence investigations for those offenders most likely to be incarcerated may assist local communities in determining whether jail is the most appropriate response.
- *Lack of sanctions between probation, jail and prison; and lack of community based interventions to address substance abuse and mental health concerns.* It appears that, at least in some counties, jail has become the alternative for individuals who suffer from mental illness, who have chronic substance abuse problems, or who require a sanction more severe than probation. Absent community based (and arguably less expensive and perhaps more effective venues) alternatives, system officials may exercise an over-reliance on jail (and perhaps prison) beds.
- *Lack of a comprehensive plan for statewide reentry planning and services.* Corrections systems across the country, both state and local, are working towards enhancing their offender management practices to assure that individuals being released to the community are prepared for their return. Release preparation begins at intake into a (state or local) correctional facility, with a comprehensive assessment of risk and needs; includes the development of case management plans that assure the delivery of critical services to reduce offenders' likelihood of recidivism [based upon the assessment's findings]; assures the availability of essential services, both in correctional facilities and in the community [such as educational and vocational programming, substance abuse and mental health services, cognitive restructuring programs, job readiness and placement programs, etc.]; links services in the institution to those in the community; builds upon offenders' strengths, assuring adequate community supports; and provides appropriate supervision in the community following release. At present, some of the local (and state) officials have made strides in this area however it does not appear that this approach to offender management has been adopted as a statewide strategy for recidivism reduction.

Finding #3: A More Strategic, Cross-System Collaborative Approach to Problem Analysis is Needed.

The Board of Crime Control's Advisory Committee was wise to establish a committee to examine jail overcrowding. The issues contributing to this circumstance seem sufficiently complex as to require the formation of a statewide body that represents the various interests and perspectives involved, to carefully analyze the factors (causes) associated with

the crowding conditions (symptom). Although we believe that the Detention Dilemma Committee was an excellent first step in addressing Montana's overcrowding concerns, we suggest that the scope of the current group's focus be broadened – as should the group's membership – and that the work of this newly formed group should be carefully and strategically planned.

Recommendation #1: Create a Statewide Offender Management

Committee. The Detention Dilemma Committee should be transitioned into an Offender Management Committee. This transition would call for an expansion of scope to include oversight of implementation of all the recommendations that follow. It would also call for broadened membership (to include all of the stakeholders involved with the conditions listed under Finding #2) and a more clearly defined committee management structure and workplan.

Recommendation #2: Collect and Analyze Offender Profile Data. Capacity for long-term data collection and analysis is critical to effective correctional management and is addressed as Recommendation #10. In the short-term, a snap shot analysis of the offender populations housed locally will shed important light on the drivers of the current crowding situation (i.e., the status of offenders (pre-trial versus sentenced), length of confinement, level of risk posed by offenders, presence of mental health concerns, type of criminogenic needs presented, etc.). These data can be collected locally by detention officials, student interns, or by BCC staff through surveys, telephone interviews, etc. (The Appendix to this report provides an overview of the type of information Montana may wish to collect. Further assistance on conducting offender data surveys may also be available from NIC.)

Recommendation #3: Conduct a Resource Analysis. Repeated concerns voiced by the officials we interviewed suggest that a comprehensive assessment of the resources available to address the criminogenic needs of offenders is needed. A resource analysis will enable the state to assess the “match” between the services needed by offenders (as demonstrated through the offender profile data) and the capacity and type of services available both in institutions and in the community. This information will be critical, for example, in determining the extent to which additional substance abuse capacity is needed – and how much capacity is called for, how intensive those services should be, and where they should be located. (The Appendix to this report provides an example of a resource inventory and guidance on how such an analysis might be conducted.)

Recommendation #4: Develop a System Flow Chart. A system flow chart is a graphic depiction of the offender case flow process. It serves to both educate a multi-disciplinary group on the mechanics of the criminal justice/offender management system, and to highlight inefficiencies in this system. A system flow chart includes key decision points in the offender management process, key decision makers, the volume of cases flowing through the system, and time lapses from point to point. This information can be very useful in identifying

methods to streamline processes (for example, revealing patterns of court continuances that result in excessive pre-trial detention) and solve systemic problems (such as the duplication of information collection at various points in the offender management system that cause delays or result in inappropriate alignment of services). (The Appendix to this report provides an example of a system flow chart and guidance on how one is developed.)

Recommendation #5: Policy and Practice Analysis. It is recommended that the Offender Management Committee also engage in an analysis of key policies (federal and state laws, state agency policies, local agency policies) that may influence the state's incarceration rates, as well as state and local offender management practices.

Recommendation #6: Conduct Cross-System Training. The previous recommendations focus on building a shared knowledge base about the offender population and how the offender management system works. Equally important is building a shared knowledge base about what the literature tells us to be effective in reducing recidivism. Therefore, we recommend that the state convene one or more cross-system trainings as a method to assure that officials from around the state are aware of the strategic planning work underway; have a shared sense of the problem(s) Montana faces; are committed to solution development and implementation; and most importantly, that professionals across the state share the same level of knowledge about effective offender management strategies. This investment in "getting everyone on the same page" will pay great dividends when it comes to developing and implementing a comprehensive strategic plan.

Recommendation #7: Conduct a Gaps Analysis and Identify Key Targets for Change. Equipped with a clear understanding of the offender population, their level of risks and needs, the resources available to serve them, the flow of offenders through the criminal justice system, and an understanding of the policies and practices driving the offender management system, the Offender Management Committee will be uniquely positioned to conduct a systemic gaps analysis and identify key targets of change. These findings will be based upon quantifiable data and will represent a shared understanding by all stakeholders of both the true causes of system problems, and clear indicators of the best strategies for addressing them.

Recommendation #8: Pilot Test Change Strategies. It is recommended that implementation of change strategies be conducted initially on a pilot basis. This will enable the Offender Management Committee to experiment with new solutions without becoming overly invested in untested strategies. It is recommended that from the start, the Offender Management Committee identify two or three counties ideally situated to serve as partners in this process, and locations in which the Committee can pilot test its change strategies.

Recommendation #9: Develop a Comprehensive Strategic Plan. As a result of this analysis process, the Offender Management Committee will be uniquely positioned to develop a comprehensive offender management strategic plan. This plan might address the need for changes over time on a whole range of issues (from training for professionals, to community education, video-based bond hearings in counties with transportation concerns, expanded community mental health services, establishment of workforce placement services for offenders, etc.) and should incorporate learnings from the pilot tests conducted in local communities. The purpose of the strategic plan, ultimately, is to document the state's needs, and array these in priority order with an understanding of the time, resources, and support that will be needed to implement those changes that will result in an enhanced offender management and corrections systems.

Recommendation #10: Build Long Term Data and Information System Capacity. Several of our recommendations address the need to collect information immediately to inform the problem analysis process. In parallel, we recommend that the state begin to consider methods to implement the ongoing collection of key data that will inform future policy analysis work. Assistance in undertaking this kind of longer term effort may be available from other statewide planning agencies, or one or more of the federal funding agencies.

Conclusion:

We wish to thank the National Institute of Corrections for identifying us as technical assistance providers and for allowing us the opportunity to work with officials in Montana. We also wish to thank the very dedicated staff of the Montana Board of Crime Control, who worked tirelessly to provide us the information that we believed we needed to conduct this technical assistance. They joined us for our entire three day visit and were excellent substantive partners as we interviewed officials from around the state and explored potential solutions to the jail crowding problem.

We welcome questions and discussion about our findings and recommendations and offer our assistance, to the extent that the National Institute of Corrections and the Board of Crime Control see appropriate, in the next stages of the state's work.

Appendix

Appendix material is provided in a separate electronic document. It is excerpted from *Getting It Right* (forthcoming in 2006, U.S. Department of Justice, National Institute of Corrections), by the Center for Effective Public Policy.